

REMARKSClaim Changes

Claim 24 is amended to correct a typographical error.

No amendment made is related to the statutory requirements of patentability unless expressly stated herein. No amendment is made for the purpose of narrowing the scope of any claim, unless Applicant had argued herein that such amendment is made to distinguish over a particular reference or combination of references. Any remarks made herein with respect to a given claim or amendment is intended only in the context of that specific claim or amendment, and should not be applied to other claims, amendments, or aspects of Applicant's invention.

Rejection of claims 1-16, 20-22, and 24-28 under 35 U.S.C. § 102(e) as being anticipated by US 7,043,530 (Isaacs)

Applicant respectfully traverses the rejection of claims 1-16, 20-22, and 24-28.

Applicant respectfully submits that Isaacs does not anticipate, either expressly or inherently, each and every element as set forth in independent claims 1, 20, 24, and 28. For example, independent claim 1 recites "order of said plurality of recipient identifiers corresponds to an order of custody of said message by recipients" which is not anticipated either expressly or inherently, in Isaacs. Also, independent claim 20 recites an audit identifier for tracking resending or forwarding of said message which is not anticipated either expressly or inherently, in Isaacs. Further, independent claim 24 recites a message log update indicating that a message has been retransmitted to at least second recipient electronic device which is not anticipated either expressly or inherently, in Isaacs. Furthermore, independent claim 28 recites adding message identifier, message originator identifier, recipient identifier, and audit identifier to a message header which is not anticipated either expressly or inherently, in Isaacs.

The Office Action dated October 18, 2007 on page 2 states that "[T]he list of messages sent lists the recipients in the order the messages are sent/received (order of messages processed) as per claim limitation. (see Isaacs col. 15, line 66 – col. 16, line 6: message order; col. 13, lines 25-28: sequence number, denote order of messages, client (i.e. sender). . . ." Applicant respectfully disagrees with the statement. The "order of messages processed" cannot be equated to "order of said plurality of recipient identifiers" because "order of messages processed" is

merely a list of messages sent from a particular originator and it does not corresponds to the order of custody of a message by different recipients. See Isaacs col. 15, line 55 to col. 16, line 5. Also, the "sequence number" of Isaacs is a monotonically increasing number assigned to the messages transmitted by a client node. However, since every client assigns the "sequence number" independently to the messages, the "sequence number" cannot be equated to "the order of custody of a message." See Isaacs, col. 13, line 22 to col. 14, line 25. Thus, Isaacs fails to describe "wherein the order of said plurality of recipient identifiers corresponds to an order of custody of said message by recipients" as recited by independent claim 1.

Also, the Office Action dated October 18, 2007 on page 3 states "[T]he Isaacs prior art discloses the capability to resend a message (if no acknowledgement is received). (see Isaacs col. 12, lines 58-62: resend message, timeout; col. 2, line 63 – col. 3, lines 16: status indicator (i.e. message log update), displayed at recipient, resend message status (status indicator))." Applicant respectfully disagrees with the statement. The status indicators in Isaacs are visual representations of messages on the display screen 126 shown in FIG. 2 of Isaacs. See Isaacs col. 2, lines 3-12 and col. 6, lines 37-41. Thus, contrary to the statement in the Office Action "status indicators" cannot be equated to "audit identifiers" transmitted to the originator which are used for tracking the resending and forwarding of a message. Further, in Isaacs the message server (630) merely forwards the message acknowledgement from the message recipient (620) to message originator (600) and the message originator (600) waits for an acknowledgment for a predetermined period of time before retransmitting the message to the recipient. See Isaacs, col. 14, lines 30-35. Thus, Isaacs fails to describe "a processor configured to assign and transmit an audit identifier to a message originator... said audit identifier for tracking resending or forwarding of said message" as recited by independent claim 20.

Additionally, Applicant respectfully submits that Isaacs fails to describe "a memory configured to store a plurality of said audit identifiers wherein each of said audit identifiers is associated with a message attachment transmitted by said message originator communications device" as recited by independent claim 20.

Further, the Office Action dated October 18, 2007 appears to equate Applicant's "message log update" with "status indicators." See Office Action dated October 18, 2007 item 3.2 and 3.3, pages 2 and 3. As described above, the status indicators (first visual representation and second visual representation) in Isaacs indicate on the display screen whether a particular

message is successfully received by a recipient device. See Isaacs, col. 2, line 63 to col. 3, line 8. However, Isaacs fails to describe a message log update transmitted by a first recipient electronic device, said message log update indicating that said message has been retransmitted to at least second recipient electronic device as recited by independent claim 24.

Furthermore, Applicant respectfully submits that Isaacs fails to describe adding a message identifier into a message header as recited in independent claim 28. Isaacs also fails to describe adding a message originator and recipient identifier into a message header as recited in independent claim 28. Also, as described above, Isaacs fails to teach “audit-identifier useful for tracking resending or forwarding of a message attachment” as recited in independent claim 28.

In view of the foregoing, Applicant respectfully submits that Isaacs does not disclose order of said plurality of recipient identifiers corresponding to an order of custody of said message by recipients, an audit identifier for tracking resending or forwarding of said message, a message log update indicating that a message has been retransmitted to at least second recipient electronic device, and adding message identifier, message originator identifier, recipient identifier, and audit identifier to a message header as recited in independent claims 1, 20, 24, and 28 respectfully. Applicant therefore submits that independent claims 1, 20, 24, and 28 are not anticipated by Isaacs, and therefore the rejection of independent claims 1, 20, 24, and 28 under 35 USC 102(e) should be withdrawn. Applicant requests that claims 1, 20, 24, and 28 may now be passed to allowance.

Dependent claims 2-16, 21-22, 25-27 depend from, and include all the limitations of independent claims 1, 20, and 24. Therefore, Applicant respectfully requests reconsideration of dependent claims 2-16, 21-22, 25-27 and requests the withdrawal of the rejection.

Conclusion

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Such action is earnestly solicited by the Applicant. Should the Examiner have any questions, comments, or suggestions, the Examiner is invited to contact the Applicant’s attorney or agent at the telephone number indicated below.

Please charge any fees that may be due to Deposit Account 502117, Motorola, Inc.

Respectfully submitted,

Please send correspondence to:
Motorola, Inc.
Intellectual Property Dept.
600 North US Highway 45
Libertyville, IL 60048
Customer Number: 20280

By: <u>/HISASHI D. WATANABE/</u>	<u>03/14/2008</u>
Hisashi D. Watanabe	Date
Attorney for Applicant	
Registration No. 37,465	
Tel. No. (847) 523-2322	
Fax No. (847) 523-2350	
Email: docketing.libertyville@motorola.com	